

**UNITED STATES BANKRUPTCY COURT
New Jersey**

IN RE: **Lonnie R. Hammonds
Tisha G. Hammonds**

Debtor(s)

Case No.: 12-37136

Judge: _____

Chapter: 13

CHAPTER 13 PLAN AND MOTIONS

☐ Original

☒ Motions Included

☒ 2nd Modified/Notice Required

☐ Modified/No Notice Required

☒ Discharge Sought

☐ No Discharge Sought

Date: 7/13/16

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtors have paid into plan the sum of \$12,404.00 through July 2016 and starting in August 2016 debtors will pay \$862.00 for 12 more months to the Chapter 13 Trustee.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒

Future Earnings

☐

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property
Description:
Proposed date for completion: _____

☐ Refinance of real property
Description:
Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property
Description:
Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ ____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of \$ ____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Trustee	administrative expenses	est. \$1,034.00
Goldman & Beslow, LLC	attorney fees	est. \$1,000.00

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Ocwen Mortgage	1st mortgage arrears	\$8300.00	n/a	\$8,300.00	\$1,540.00

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
Bank of America	151 East 24th Street, Paterson, NJ	\$23,187.00	\$143,000.00	\$299,146.00	-0-	n/a	to be paid pro-rata

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
-NONE-			

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor
Chase Auto

e. Secured Claims to be paid in full through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan

Part 5: Unsecured Claims

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

_____ Not less than \$_____ to be distributed *pro rata*

_____ Not less than ___ percent

 x *Pro Rata* distribution from any remaining funds

b. **Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
Bank of America	2nd mortgage re: 151 East 24th Street, Paterson, NJ	entire lien to be treated as unsecured

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims-including attorney fees
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: _____.

Explain below **why** the Plan is being modified.

Explain below **how** the Plan is being modified

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☐ No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date 7/13/16 \s\ Mark Goldman
Mark Goldman, Esq. 8019
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: 7/13/16 \s\ Lonnie Hammonds
Lonnie R. Hammonds
Debtor

Date: 7/13/16 \s\ Tisha Hammonds
Tisha G. Hammonds
Joint Debtor

Certificate of Notice Page 6 of 8
 United States Bankruptcy Court
 District of New Jersey

In re:
 Lonnie R. Hammonds
 Tisha G. Hammonds
 Debtors

Case No. 12-37136-SLM
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf901

Page 1 of 3
 Total Noticed: 47

Date Rcvd: Jul 21, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 23, 2016.

db/jdb +Lonnie R. Hammonds, Tisha G. Hammonds, 151 East 24th Street, Paterson, NJ 07514-2113
 cr +JPMorgan Chase Bank, N.A., 201 N. Central Ave., Floor 11, Phoenix, AZ 85004-1071
 cr +NATIONSTAR MORTGAGE, LLC, Phelan Hallinan & Schmieg, PC, 400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437
 cr +Ocwen Loan Servicing, LLC, c/o Stern & Eisenberg PC, 1040 N. Kings Highway, Suite 407, Cherry Hill, NJ 08034-1925
 cc +U.S. Bank National Association, not in its individ, c/o Rushmore Loan Management Services, PO Box 55004, Irvine, CA 92619-5004
 513656043 Bank of America N.A., c/o Prober & Raphael, Attornys For Secured Creditor, P.O. Box 4365, Woodland Hills, CA 91365-4365
 513491532 +Bk Of Amer, Attn: Bankruptcy/MC: NC4-105-03-14, Po Box 26012, Greensboro, NC 27420-6012
 513491533 +Bk Of Amer, 450 American St, Simi Valley, CA 93065-6285
 513611830 Capital One NA, c/o Becket and Lee LLP, POB 3001, Malvern PA 19355-0701
 513491534 +Chase, Po Box 7013, Indianapolis, IN 46207-7013
 513491535 +Chase Auto, Po Box 15298, Wilmington, DE 19850-5298
 513491538 +City Ntl Bk/Ocwen Loan Service, 12650 Ingenuity Dr, Orlando, FL 32826-2703
 513491536 +City Ntl Bk/Ocwen Loan Service, Attn: Bankruptcy, P.O. Box 24738, West Palm Beach, FL 33416-4738
 513491540 +Eastern Account System, Po Box 837, Newtown, CT 06470-0837
 513491541 +Eastern Account System, 75 Glen Rd Ste 110, Sandy Hook, CT 06482-1175
 513593182 +JP Morgan Chase Bank N.A., Chase Auto Finance, 201 N. Central Ave, Mail Code AZ1-1191, Phoenix AZ 85004-1071
 513491546 +Med Busi Bur, 1460 Renaissance Dr, Park Ridge, IL 60068-1349
 516189208 +NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
 (address filed with court: Nationstar Mortgage LLC, P.O. Box 619096, Dallas, Texas 75261-9741)
 513629368 +New Century Financial Services, Inc., c/o Pressler and Pressler, LLP., 7 Entin Road, Parsippany NJ 07054-5020
 513491556 +Pressler & Pressler, 7 Entin Road, Parsippany, NJ 07054-5020
 513552520 +Sallie Mae Inc. on behalf of NJHESAA, P.O. Box 548, Trenton, NJ 08625-0548
 513491565 Springleaf Financial S, Wayne Crest Shoppi, Wayne, NJ 07470
 513491567 +The Bureaus Inc., 1721 Central St, Evanston, IL 60201-1507
 516295689 U.S. Bank National Association, c/o Rushmore Loan Management Services, PO Box 52708, Irvine, CA 92619-2708
 516295690 U.S. Bank National Association, c/o Rushmore Loan Management Services, PO Box 52708, Irvine, CA 92619-2708, U.S. Bank National Association, c/o Rushmore Loan Management Services

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Jul 21 2016 22:42:56 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jul 21 2016 22:42:55 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
 513700235 E-mail/Text: ally@ebn.phinsolutions.com Jul 21 2016 22:42:02 Ally Financial, PO Box 130424, Roseville, MN 55113-0004
 513491530 +E-mail/Text: ally@ebn.phinsolutions.com Jul 21 2016 22:42:02 Ally Fincl, 200 Renaissance Ctr, Detroit, MI 48243-1300
 513524985 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jul 21 2016 22:57:42 American InfoSource LP as agent for, Midland Funding LLC, PO Box 268941, Oklahoma City, OK 73126-8941
 513591348 +E-mail/Text: BANKRUPTCY@ASSETACCEPTANCE.COM Jul 21 2016 22:42:49 Asset Acceptance LLC, P.O. Box 2036, Warren MI 48090-2036
 513491531 +E-mail/Text: BANKRUPTCY@ASSETACCEPTANCE.COM Jul 21 2016 22:42:49 Asset Acceptance Llc, Po Box 1630, Warren, MI 48090-1630
 513823245 E-mail/PDF: rmscedi@recoverycorp.com Jul 21 2016 23:20:23 Bureaus Investment Group Portfolio No 15 LLC, c/o Recovery Management Systems Corp, 25 SE 2nd Avenue Suite 1120, Miami FL 33131-1605
 513491542 +E-mail/PDF: gecscdi@recoverycorp.com Jul 21 2016 23:20:12 Gecrb/gap, Po Box 965005, Orlando, FL 32896-5005
 513491545 +E-mail/Text: bnckohlsnotices@becket-lee.com Jul 21 2016 22:42:14 Kohls/capone, Po Box 3115, Milwaukee, WI 53201-3115
 513491547 +E-mail/Text: bankruptcydpt@mcmcg.com Jul 21 2016 22:42:54 Midland Funding, 8875 Aero Dr Ste 200, San Diego, CA 92123-2255
 513491551 +E-mail/PDF: bankruptcy@ncfsi.com Jul 21 2016 22:51:43 New Century Financial, 110 S. Jefferson Rd., Suite 104, Whippany, NJ 07981-1038
 513491552 +E-mail/PDF: bankruptcy@ncfsi.com Jul 21 2016 22:51:12 New Century Financial, 110 S. Jefferson Rd Ste 1, Whippany, NJ 07981-1038
 513491553 +E-mail/Text: bankruptcy@njfcu.org Jul 21 2016 22:43:01 North Jersey Fcu, 711 Union Blvd, Totowa, NJ 07512-2207
 513491555 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 21 2016 22:51:06 Portfolio Rc, 120 Corporate Blvd Ste 1, Norfolk, VA 23502

District/off: 0312-2

User: admin
Form ID: pdf901

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Total Noticed: 47

Date Rcvd: Jul 21, 2016

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

513491554 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 21 2016 22:51:39 Portfolio Rc,
Attn: Bankruptcy, Po Box 41067, Norfolk, VA 23541
513738041 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 21 2016 22:51:07
Portfolio Recovery Associates, LLC, c/o Gapcard, POB 41067, Norfolk VA 23541
513792270 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 21 2016 22:52:05
Portfolio Recovery Associates, LLC, c/o The Gap, POB 41067, Norfolk VA 23541
513491561 +E-mail/PDF: pa_dc_claims@navient.com Jul 21 2016 22:52:09 Sallie Mae, Po Box 9500,
Wilkes-barre, PA 18773-9500
513738000 +E-mail/PDF: pa_dc_claims@navient.com Jul 21 2016 22:51:42 Sallie Mae, c/o Sallie Mae Inc.,
220 Lasley Ave, Wilkes-Barre, PA 18706-1496
513491557 +E-mail/PDF: pa_dc_claims@navient.com Jul 21 2016 22:52:09 Sallie Mae,
Attn: Claims Department, Po Box 9500, Wilkes-Barre, PA 18773-9500
513738001 +E-mail/PDF: pa_dc_claims@navient.com Jul 21 2016 22:51:11 Sallie Mae PC Trust,
c/o Sallie Mae Inc., 220 Lasley Ave, Wilkes-Barre, PA 18706-1496
TOTAL: 22

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

513491537* +City Ntl Bk/Ocwen Loan Service, Attn: Bankruptcy, P.O. Box 24738,
West Palm Beach, FL 33416-4738
513491539* +City Ntl Bk/Ocwen Loan Service, 12650 Ingenuity Dr, Orlando, FL 32826-2703
513491548* +Midland Funding, 8875 Aero Dr Ste 200, San Diego, CA 92123-2255
513491549* +Midland Funding, 8875 Aero Dr Ste 200, San Diego, CA 92123-2255
513491550* +Midland Funding, 8875 Aero Dr Ste 200, San Diego, CA 92123-2255
513491562* +Sallie Mae, Po Box 9500, Wilkes-barre, PA 18773-9500
513491563* +Sallie Mae, Po Box 9500, Wilkes-barre, PA 18773-9500
513491564* +Sallie Mae, Po Box 9500, Wilkes-barre, PA 18773-9500
513491558* +Sallie Mae, Attn: Claims Department, Po Box 9500, Wilkes-Barre, PA 18773-9500
513491559* +Sallie Mae, Attn: Claims Department, Po Box 9500, Wilkes-Barre, PA 18773-9500
513491560* +Sallie Mae, Attn: Claims Department, Po Box 9500, Wilkes-Barre, PA 18773-9500
513491543 ##+Hilco Receivables/Equable Ascent Financi, Attn: Bankruptcy, 1120 Lake Cook Road Suite B,
Buffalo Grove, IL 60089-1970
513491544 ##+Hilco Receivables/Equable Ascent Financi, 1120 West Lake Co, Buffalo Grove, IL 60089-1970
513491566 ##+The Bureaus Inc., Attention: Bankruptcy Dept., 1717 Central St., Evanston, IL 60201-1507
TOTALS: 0, * 11, ## 3

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 23, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 20, 2016 at the address(es) listed below:

Clifford B. Frish on behalf of Debtor Lonnie R. Hammonds yrodriguez@goldmanlaw.org,
cfrish@goldmanlaw.org;yrodriguez.knight29@gmail.com/ecf-control@goldman-beslow.com
Clifford B. Frish on behalf of Joint Debtor Tisha G. Hammonds yrodriguez@goldmanlaw.org,
cfrish@goldmanlaw.org;yrodriguez.knight29@gmail.com/ecf-control@goldman-beslow.com
Dean Russell Prober cmartin@pralc.com
John Philip Schneider on behalf of Creditor NATIONSTAR MORTGAGE, LLC nj.bkecf@fedphe.com
John R. Morton, Jr. on behalf of Creditor JPMorgan Chase Bank, N.A.
mortonlaw.brcraig@verizon.net, donnal@mortoncraig.com/mhazlett@mortoncraig.com
Joshua I. Goldman on behalf of Creditor Nationstar Mortgage LLC jgoldman@kmlawgroup.com,
bkgroup@kmlawgroup.com
Kevin P. Diskin on behalf of Creditor NATIONSTAR MORTGAGE, LLC kevin.diskin@buckleymadole.com,
NJ_ECF_Notices@buckleymadole.com

District/off: 0312-2

User: admin
Form ID: pdf901

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Marie-Ann Greenberg magecf@magtrustee.com
Mark Goldman on behalf of Debtor Lonnie R. Hammonds yrodriguez@goldmanlaw.org,
yrodriguez.knight29@gmail.com;ecf-control@goldman-beslow.com
Mark Goldman on behalf of Joint Debtor Tisha G. Hammonds yrodriguez@goldmanlaw.org,
yrodriguez.knight29@gmail.com;ecf-control@goldman-beslow.com
Robert P. Saltzman on behalf of Counter-Claimant U.S. Bank National Association, not in its
individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT dnj@pbslaw.org
Steven K. Eisenberg on behalf of Creditor Ocwen Loan Servicing, LLC
seisenberg@sterneisenberg.com,
dbogucki@sterneisenberg.com;jmcnally@sterneisenberg.com;skelly@sterneisenberg.com;ckohn@sterneise
nberg.com

TOTAL: 12